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U.S. DISTRICT COURT

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

OCT 29 2009

BY:

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OFFICE OF U.S. DISTRICT JUDGE
BRUCE S. JENKINS

Newport Titan LC

Plaintiff,

v.

Matrix Holdings LLC

Defendant.

DEFAULT JUDGMENT

Case No. 2:09-cv-797

Judge Bruce Jenkins

WHEREAS Plaintiff Newport Titan LC filed a Complaint with this Court on September 3, 2009.

WHEREAS Plaintiff Newport Titan LC personally served Matrix Holding, LLC, a New York limited liability company, on September 9, 2009.

WHEREAS Matrix Holdings LLC, a New York limited liability, sent correspondence to this Court indicating it was not the Matrix Holdings LLC entity involved in the dispute.

WHEREAS Plaintiff Newport Titan LC filed an Amended Complaint with this Court on September 22, 2009.

WHEREAS Plaintiff Newport Titan LC personally served Defendant Matrix Holdings LLC, a Minnesota limited liability company, on September 23, 2009; and

WHEREAS the Defendant Matrix Holdings LLC, a Minnesota limited liability company, was informed that failure to answer the complaint within thirty (30) days would result in a default judgment against them; and

WHEREAS the Defendant Matrix Holdings LLC, a Minnesota limited liability company, failed to answer within the thirty-day deadline; and

WHEREAS the Plaintiff's Complaint requested damages for a sum certain in the amount of \$21,400,000.00.

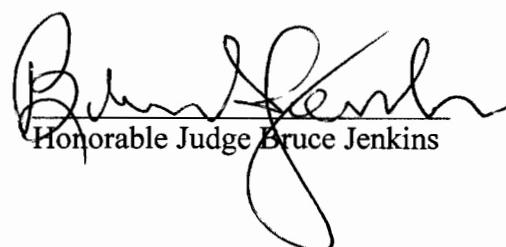
WHEREAS the Clerk of this Court entered a Certificate of Default on October 27, 2009, against the Defendant Matrix Holdings LLC, a Minnesota limited liability company; and

WHEREAS the Plaintiff's allegations were not denied by the Defendant Matrix Holdings LLC, a Minnesota limited liability company; and

WHEREAS this Court finds that the allegations pleaded by the Plaintiff and deemed admitted by the Defendant is sufficient to grant the relief requested in the Complaint;

NOW THEREFORE this Court enters a judgment for \$21,400,000.00 against the Defendant Matrix Holdings LLC, a Minnesota limited liability company.

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Dated this ~~28th~~ day of *Octo^{ber}*, 2009


Honorable Judge Bruce Jenkins